

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**CECIL ALLMAN and wife, FRANCES)
W. ALLMAN; MICHAEL M. BENNETT)
and wife, LIBBY M. BENNETT;)
DONALD BURLESON and wife,)
BETTY H. BURLESON; LEONARD T.)
HOLT and wife, SHIRLEY L. HOLT;)
ALMA IVERY; CHARLES MENSTER)
and wife, VERA M. MENSTER;)
CHARLES McDANIEL and wife,)
LOIS McDANIEL; GLADYS)
ROBERTS; PEGGY ROGERS; ERNST)
SHEPHERD and wife, PATSY E.)
SHEPHERD; and BOBBY E.)
STARNES and wife, MYRNA J.)
STARNES,)**

Plaintiffs,

Vs.

**DANIEL INTERNATIONAL)
CORPORATION, f/k/a Daniel)
Construction Company, *et al.*,)**

Defendants.

Civil No. 3:98cv220

THIS MATTER is before the Court on motion of the Defendant Daniel International Corporation to compel the Plaintiffs to respond to its request for production of documents served June 1, 2006. The motion is denied.

In addition to the fact that the motion does not contain a “meet and confer” certificate as required by the Court’s Local Rules, the discovery period has closed. As a result, the Court will not become embroiled in discovery disputes between the parties.

IT IS, THEREFORE, ORDERED that the motion of Defendant Daniel International to compel is hereby **DENIED** with prejudice.

Signed: December 5, 2006

A handwritten signature in black ink, appearing to read "Lacy H. Thornburg", written over a horizontal line.

Lacy H. Thornburg
United States District Judge

